

**RESOLUTION NO. 03-236**

A RESOLUTION DECLARING AN INTEREST IN, AND ESTABLISHING A PUBLIC HEARING DATE FOR CONSIDERING THE UNILATERAL ANNEXATION OF PROPERTY GENERALLY LOCATED NORTH OF 27<sup>th</sup> STREET NORTH, AND EAST AND WEST OF N. MAIZE ROAD TO THE CITY OF WICHITA, KANSAS (A03-11)

WHEREAS, the City of Wichita is a municipal corporation with powers of annexation as authorized by K.S.A. 12-519 *et seq.*; and

WHEREAS, the City of Wichita recognizes the need to have balanced growth in order to have a healthy economy, and provide for commercial and industrial development in addition to residential growth, and

WHEREAS, the City is capable of providing a variety of municipal services, including those provided by the township, to all areas of the city, and will provide a level of service, at least equal to that provided by the township, and

WHEREAS, said properties are eligible by virtue of being platted lands which are adjacent to or wholly within the current City of Wichita limits or by virtue of being unplatted land so situated that two-thirds of a boundary line of a tract adjoins the City, and

WHEREAS, a report concerning the extension of municipal services to the proposed annexation area has been prepared as required by K.S.A. 12-520b, and

WHEREAS, the land to be annexed is located wholly within Sedgwick County,

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF WICHITA, KANSAS:

SECTION 1. The City of Wichita is considering the annexation of certain eligible properties described as follows:

Tracts of land in Sections 28, 29, 30, 31, 32 and 33, Township 26 South, Range 1 West, together with tracts of land in Section 36, Township 26 South, Range 2 West, together with a tract of land in Section 1, Township 27 South, Range 2 West, together with tracts of land in Sections 5 and 6, Township 27 South, Range 1 West of the 6th P.M., Sedgwick County, Kansas, described as follows:

A tract of land lying in the NW 1/4 of Sec. 28, Twp. 26-S, R-1-W of the 6th P.M., Sedgwick County, Kansas described as follows: That part of said NW 1/4 lying south of K-96 Highway (Condemnation Case C-8172-66).

And Also:

Tracts of land lying in the SW 1/4 of Sec. 28, Twp. 26-S, R-1-W of the 6th P.M., Sedgwick County, Kansas described as follows: Beginning at the SW corner of said SW 1/4; thence north 855 feet; thence east 264 feet; thence south 855 feet; thence west to beginning, except the west 35 feet for road & except the south 30 feet for road.

And Also:

Tracts of land lying in the SE 1/4 of Sec. 29, Twp. 26-S, R-1-W of the 6th P.M., Sedgwick County, Kansas described as follows: The east 1/2 of said SE 1/4; except that part platted as J Loehr Addition, Sedgwick County, Kansas; and except that part taken for road.

And Also:

Tracts of land lying in the SE 1/4 of Sec. 29, Twp. 26-S, R-1-W of the 6th P.M., Sedgwick County, Kansas described as follows: That part of said SE 1/4 platted as J Loehr Addition, Sedgwick County, Kansas; except that part taken for road.

And Also:

Tracts of land lying in the SE 1/4 of Sec. 29, Twp. 26-S, R-1-W of the 6th P.M., Sedgwick County, Kansas described as follows: That part of said SE 1/4 platted as The Sanctuary, Sedgwick County, Kansas; except for that part dedicated as 37<sup>th</sup> Street North.

And Also:

A tract of land lying in the SW 1/4 of Sec. 30, Twp. 26-S, R-1-W of the 6th P.M., Sedgwick County, Kansas described as follows: The east 320 feet of the south 650.6 feet of said SW 1/4; except the south 30 feet for road.

And Also:

Tracts of land lying in the NE 1/4 of Sec. 31, Twp. 26-S, R-1-W of the 6th P.M., Sedgwick County, Kansas described as follows: Beginning at the NW corner of said NE 1/4; thence south along the west line of said NE 1/4 1009.23 feet; thence east 1076 feet; thence north to a point on the north line of said NE 1/4; thence west along the north line of said NE 1/4 to beginning; except that part taken for road.

And Also:

Tracts of land lying in the NE 1/4 of Sec. 31, Twp. 26-S, R-1-W of the 6th P.M., Sedgwick County, Kansas described as follows: That part of said NE 1/4 dedicated for Right-of-Way per R/W Film 296, Page 158, R/W Film 296, Page 159, R/W Film 388, Page 653 and R/W Film 390, Page 98 lying south of the south line of 37<sup>th</sup> Street North.

And Also:

Tracts of land lying in the SE 1/4 of Sec. 31, Twp. 26-S, R-1-W of the 6th P.M., Sedgwick County, Kansas described as follows: The SE 1/4 of said SE 1/4; except for a tract described as the south 330 feet of the SE 1/4 of said SE 1/4 except the west 264.4 feet thereof; and except that part taken for road.

And Also:

A tract of land lying in the SW 1/4 of Sec. 31, Twp. 26-S, R-1-W of the 6th P.M., Sedgwick County, Kansas described as follows: Government Lots 3 and 4, being the west 1/2 of said SW 1/4; except the north 60 acres and except for that part taken for road.

And Also:

Tracts of land lying in the NE 1/4 of Sec. 32, Twp. 26-S, R-1-W of the 6th P.M., Sedgwick County, Kansas described as follows: The north 1/2 of the N 1/2 of said NE 1/4; except the east 1700 feet and except the north 50 feet taken for road.

And Also:

A tract of land lying in the SW 1/4 of Sec. 32, Twp. 26-S, R-1-W of the 6th P.M., Sedgwick County, Kansas described as follows: Commencing at the NW corner of the south 1/2 of said SW 1/4; thence east 160 feet to the point of beginning; thence northerly 316.44 feet; thence east 617.16 feet; thence south 759.61 feet; thence westerly 122.59 feet; thence southeasterly 54.11 feet; thence west 519.44 feet; thence north 230 feet; thence northeasterly 285.42 feet to the point of beginning.

And Also:

A tract of land lying in the SW 1/4 of Sec. 32, Twp. 26-S, R-1-W of the 6th P.M., Sedgwick County, Kansas described as follows: Beginning 1390.35 feet north of the SE corner of the SW 1/4 of said SW 1/4; thence northwesterly 407.71 feet; thence west to a point 617.16 east of the east line of Maize Road; thence south 312.66 feet to a point on the north line of the S 1/2 of said SW 1/4; thence east to the NE corner of the SW 1/4 of said SW 1/4; thence north to the point of beginning.

And Also:

Tracts of land lying in the SW 1/4 of Sec. 32, Twp. 26-S, R-1-W of the 6th P.M., Sedgwick County, Kansas described as follows: Beginning at the SW corner of the SE 1/4 of said SW 1/4; thence west 140 feet; thence north 626.16 feet; thence east 626.16 feet; thence south 626.16 feet; thence west 486.16 feet; except the south 30 feet taken for road.

And Also:

A tract of land lying in the NE 1/4 of Sec. 6, Twp. 27-S, R-1-W of the 6th P.M., Sedgwick County, Kansas described as follows: Commencing 330 feet west of the NE corner of NE 1/4; thence south 660 feet; thence west 1320 feet; thence north 660 feet; thence east 1320 feet to the point of beginning; except the north 30 feet taken for road.

And Also:

Tyler Road, from the south line of K-96 Highway (Condemnation Case C-8172-66) lying in the E 1/2 of Sec. 29, Twp. 26-S, R-1-W of the 6th P.M., Sedgwick County, Kansas and the W 1/2 of Sec.

28, Twp. 26-S, R-1-W of the 6th P.M., Sedgwick County, Kansas; south to the north line of 37th Street North.

And Also:

37th Street North, from the west right-of-way line of the Kansas Southwestern Railroad as found in the SW 1/4 of Sec. 28, Twp. 26-S, R-1-W of the 6th P.M., Sedgwick County, Kansas and the NW 1/4 of Sec. 33, Twp. 26-S, R-1-W of the 6th P.M., Sedgwick County, Kansas; west to a point on the west line of the SE 1/4 of Sec. 29, Twp. 26-S, R-1-W of the 6th P.M., Sedgwick County, Kansas and the west line of the NE 1/4 of Sec. 32, Twp. 26-S, R-1-W of the 6th P.M., Sedgwick County, Kansas.

And Also:

37th Street North, from the east line of the SW 1/4 of Sec. 30, Twp. 26-S, R-1-W of the 6th P.M., Sedgwick County, Kansas and the east line of the NW 1/4 of Sec. 31, Twp. 26-S, R-1-W of the 6th P.M., Sedgwick County, Kansas, to a point 320 feet west.

And Also:

Maize Road, from a point 312.66 feet north of the north line of the of the S 1/2 of the SW 1/4 of Sec. 32, Twp. 26-S, R-1-W of the 6th P.M., Sedgwick County, Kansas and the S 1/2 of the SE 1/4 of Sec. 31, Twp. 26-S, R-1-W of the 6th P.M., Sedgwick County, Kansas south to a point 330 feet north of the south line of the SW 1/4 of Sec. 32, Twp. 26-S, R-1-W of the 6th P.M., Sedgwick County, Kansas and the SE 1/4 of Sec. 31, Twp. 26-S, R-1-W of the 6th P.M., Sedgwick County, Kansas.

And Also:

119th Street West, from a point 655 feet north of the south line of the of the SW 1/4 of Sec. 31, Twp. 26-S, R-1-W of the 6th P.M., Sedgwick County, Kansas and the south line of the of the SE 1/4 of Sec. 36, Twp. 26-S, R-2-W of the 6th P.M., Sedgwick County, Kansas south to the south line of the NE 1/4 of Sec. 1, Twp. 27-S, R-2-W of the 6th P.M., Sedgwick County, Kansas and the south line of the NW 1/4 of Sec. 6, Twp. 27-S, R-1-W of the 6th P.M., Sedgwick County, Kansas.

And Also:

29th Street North, from a point 486.16 feet east of the SW corner of the SE 1/4 of the SW 1/4 of Sec. 32, Twp. 26-S, R-1-W of the 6th P.M., Sedgwick County, Kansas and the NW corner of the NE 1/4 of the NW 1/4 of Sec. 5, Twp. 27-S, R-1-W of the 6th P.M., Sedgwick County, Kansas to a point 140 feet west of the SW corner of the SE 1/4 of the SW 1/4 of Sec. 32, Twp. 26-S, R-1-W of the 6th P.M., Sedgwick County, Kansas and the NW corner of the NE 1/4 of the NW 1/4 of Sec. 5, Twp. 27-S, R-1-W of the 6th P.M., Sedgwick County, Kansas.

And Also:

29th Street North, from a point 330 feet west of the SE corner of the SE 1/4 of Sec. 31, Twp. 26-S, R-1-W of the 6th P.M., Sedgwick County, Kansas and the NE corner of the NE 1/4 of Sec. 6, Twp. 27-S, R-1-W of the 6th P.M., Sedgwick County, Kansas west to a point on the west line, as extended, of the SE 1/4 of the SE 1/4 of Sec. 31, Twp. 26-S, R-1-W of the 6th P.M., Sedgwick County, Kansas and the west line, as extended, of the NE 1/4 of the NE 1/4 of Sec. 6, Twp. 27-S, R-1-W of the 6th P.M., Sedgwick County, Kansas.

SECTION 2. A report setting forth the plans for extending major municipal services to the proposed annexation area is on file in the Office of the City Clerk, Wichita City Hall, 13th Floor, 455 North Main Street, Wichita, Kansas and is available for inspection from 8:00 a.m. to 5:00 p.m. Monday through Friday, except holidays.

SECTION 3. A public hearing will be held by the Wichita City Council on July 15, 2003 at 7:00 p.m. at the Sedgwick County Extension Office, 7001 W. 21<sup>st</sup> Street North, Wichita, Kansas, during which the proposal for annexation, including the plan for extension of municipal services, will be presented and comments from all interested parties will be heard.

SECTION 4. Within ten (10) days of adoption of this Resolution, the City Clerk of the City of Wichita shall, by certified mail, mail a copy of this Resolution and a map of the area proposed for annexation to all owners of land within the areas proposed to be annexed.

SECTION 5. This Resolution shall be published once in the official city newspaper not less than one week and not more than two weeks preceding said public hearing.

ADOPTED this 13th day of May 2003.

---

Carlos Mayans, Mayor

ATTEST:

---

Pat Graves, City Clerk

Approved as to Form:

---

Gary E. Rebenstorf, Director of Law